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**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

JIM CURRY, AUTUMN MORGAN, KISHONA SMITH, MONIQUA WALKER, STUART ROGOFF, ALYSSA MOSER, and THOMAS MONACO individually and on behalf of all others similarly situated,

Plaintiffs,

v.

MRS. FIELDS GIFTS, INC.,

Defendant.

**STIPULATED MOTION TO ACCEPT
PLAINTIFFS' CORRECTED
OPPOSITION AND ENLARGE
BRIEFING SCHEDULE**

Case No. 2:22-cv-00651-JNP-DBP

District Judge Jill N. Parrish
Magistrate Judge Dustin B. Pead

STIPULATED MOTION

By and through their respective counsel Plaintiffs and Defendant Mrs. Fields Gifts, Inc., file this Stipulated Motion to Accept Plaintiffs' Corrected Opposition and Enlarge Briefing Schedule:

Relief requested: The Motion seeks an Order entering a stipulation between the parties which deems Plaintiffs' Corrected Opposition to Defendant's Motion to Dismiss (ECF No. 54) as the operative response to the Motion to Dismiss (ECF No. 49) and which extends the date for Defendant to file its reply thereto from April 8, 2024 to April 12, 2024.

Grounds: Plaintiffs filed their First Amended Complaint on January 17, 2024. (ECF No. 45). On February 16, 2024, Defendant filed a Motion to Dismiss on Fed. R. Civ. P. 12(b)(1) and 12(b)(6) grounds and in the Motion sought additional relief under Fed. R. Civ. P. 12(f). (ECF No. 49). The Court adopted the parties stipulated briefing schedule on the Motion. (ECF No. 51).

Plaintiffs' counsel experienced a technical issue with Microsoft Word while finalizing their response brief (ECF No. 53), which resulted in the filed brief that containing numerous, non-substantive formatting and text inclusion and omission errors. Plaintiffs have filed a corrected version that fixes those issues but remains substantively the same as the originally filed brief. (ECF No. 53). The parties have therefore agreed that Defendant's deadline to reply to Plaintiffs' Corrected Opposition shall be extended to April 12, 2022.

The parties stipulate and agree that the Court may enter the attached Proposed Order, wherefore, the proposed order's entry authorizing the corrected brief and schedule is requested.

SIDLEY AUSTIN LLP

/s/ Jacquelyn E. Fradette
Jacquelyn E. Fradette (Pro Hac Vice)
Counsel for Defendant Mrs. Fields Gifts, Inc.
(signed by filing attorney with permission of Mrs. Fields Gifts, Inc.'s attorney)

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/s/ David W. Scofield
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the foregoing **STIPULATED MOTION TO ACCEPT PLAINTIFFS' CORRECTED OPPOSITION AND ENLARGE BRIEFING SCHEDULE** to be filed with the Court through its CM/ECF system, this 21st day of March, 2024, which will serve copies hereof electronically on the following counsel registered for CM/ECF notification:

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